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Foodstuffs—Misbranding—Enforcement of Act by State Board of Health. (Act 213, July 20, 1914.)

SECTION 1. That any person who by himself or his servant or agent, or as the servant of agent of another, shall manufacture, sell, offer for sale, or have in his possession for sale, any article of food which is misbranded within the meaning of section 2 of this act, shall be guilty of a misdemeanor, and upon conviction by any court of competent jurisdiction shall be fined not less than \$10 nor more than \$200 for the first offense; not less than \$25 nor more than \$400 for the second offense; not less than \$50 nor more than \$500, or imprisonment for not less than 10 days nor more than 6 months, or both, for each subsequent offense.

SEC. 2. That the term "misbranded" as used herein shall apply to articles of food in package form which do not bear plainly and conspicuously marked on the outside thereof the quantity of the contents in terms of weight, measure, or numerical count; provided that reasonable variations shall be permitted, and tolerances, and also exemptions as to small packages, shall be established by the State board of health by rules and regulations uniform with rules and regulations established by the United States Department of Agriculture.

SEC. 3. That the term "an article of food" as used herein shall include all articles used as food, drink, confectionery, or condiment by man or other animals, whether simple, mixed, or compound. "In package form" shall mean any container, whether glass, tin, wood, or paper, in which the article of food is packed and, with its contents, sold, offered for sale, or in possession for sale. The terms "weight or measure" shall mean the net weight, or net measure, in terms in accordance with trade customs.

SEC. 4. That the State board of health shall be charged with the enforcement of this act as in the enforcement of any provisions of the sanitary code; not, however, to the exclusion of other authorities charged with the enforcement of the laws.

SEC. 5. That this act shall take effect from and after January 1, 1915; provided, however, that goods and merchandise on hand January 1, 1915, shall be branded "on hand January 1, 1915," and the sale thereof shall not be construed as a violation of the provisions of this act.

Pure Food and Drugs Act. (Act 282, July 23, 1914.)

SECTION 1. That it shall be unlawful for any person to manufacture within this State any article of food or drug which is adulterated or misbranded, within the meaning of this act; and any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor, and for each offense shall, upon conviction thereof, be fined not to exceed \$500, or shall be sentenced to one year's imprisonment, or both such fine and imprisonment, in the discretion of the court, and for each subsequent offense and conviction thereof shall be fined not less than \$1,000 or sentenced to one year's imprisonment, or both such fine and imprisonment, in the discretion of the court.

SEC. 2. That the introduction into this State from any other State or Territory or the District of Columbia, or from any foreign country, or shipment to any foreign country of any article of food or drug which is adulterated or misbranded, within the meaning of this act, is hereby prohibited; and any person who shall ship or deliver for shipment from any State or Territory or the District of Columbia to this State, or who shall receive in this State from any other State or Territory or the District of Columbia, or foreign country, and having so received shall deliver, in original unbroken packages, for pay or otherwise, or offer to deliver to any other person, any such article so adulterated or misbranded within the meaning of this act, or any person who shall sell or offer for sale in this State any such adulterated or misbranded foods or drugs, or exports or offers to export the same to any foreign country, shall be guilty of a misdemeanor, and for such offense be fined not exceeding \$200 for the first offense, and upon con-